

EXHIBIT D

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GOOGLE LLC

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **SAN FRANCISCO**

14 ANIBAL RODRIGUEZ, *et al.* individually and on
behalf of all other similarly situated,

15 Plaintiffs,

16 vs

17 GOOGLE LLC, *et al.*

18 Defendant.

Case No. 3:20-CV-04688

19 **[PROPOSED] ORDER REGARDING**
20 **PLAINTIFFS' RULE 30(B)(6)**
21 **DEPOSITION NOTICE**

22 Judge: Hon. Alex G. Tse
23 Courtroom: A, 15th Floor
24 Action Filed: July 14, 2020
25 Trial Date: Not Set

[PROPOSED] ORDER

Before the Court is the parties' Joint Letter Brief regarding Plaintiffs' request regarding Plaintiffs' Rule 30(b)(6) deposition notice.

Having considered the Joint Letter Brief, the Court DENIES Plaintiffs' request and ORDERS further as follows:

- Based on Plaintiffs' showing thus far, the Court strikes Plaintiffs' Topics 1(e)–(f), 2, 3(b)–(c), 4, 5, and 6 from their Rule 30(b)(6) notice, without prejudice to renewed topics based on further developments in the case, including further production of documents by Google and further responses to interrogatories.
- Insofar as they encompass Topic 2, Topics 3–6 are stricken from Plaintiffs' Rule 30(b)(6) notice in light of the Court's Order granting in part and denying in part Google's Motion to Dismiss the First Amended Complaint.
- Topics 1(a)–(c) are premature, because Google hasn't produced source code in this case.
- Topics 1(d) and 3(a) are also premature, as Google has not finished producing relevant documents. Plaintiffs may re-notice these topics after Google has substantially completed production of custodial and non-custodial documents relating to those topics.
- Plaintiffs will only be permitted to take a deposition of Google on particular topics once, pursuant to Rule 30(a)(2)(A)(2).

IT IS SO ORDERED.

DATED: _____

Honorable Alex G. Tse
United States Magistrate Judge